

BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION  
WASHINGTON, D. C.  
ORDER NO. 635

IN THE MATTER OF:

Served August 19, 1966

Application of D. C. Transit )  
System, Inc., for Authority )  
to Extend its Route U-2. )

Application No. 382

Docket No. 126

APPEARANCES:

MANUEL J. DAVIS and SAMUEL LANGERMAN, Attorneys for D. C. Transit System, Inc.

STANLEY H. KAMEROW, Attorney for WMA Transit Company, Protestant.

D. C. Transit System, Inc. (D. C. Transit) has filed an application seeking authority to extend its Route U-2 from its terminal at the intersection of Kenilworth and Eastern Avenues to the Marriott-Hot Shoppes Commissary and Warehouse on Addison Chapel Road, Prince Georges County, Maryland. Notice of the application and hearing thereon was published according to Commission instructions. WMA Transit Company (WMA) filed a protest to the application. The matter was heard on July 27, 1966. The evidence adduced consists of 121 pages of transcript of the testimony of nineteen (19) witnesses and of twelve (12) exhibits.

D. C. Transit is presently authorized by Certificate of Public Convenience and Necessity No. 5 to, inter alia, transport passengers in regular route operations from a terminal in the District of Columbia at Lafayette Park to and along Benning Road and Kenilworth Avenue to a terminal at Kenilworth Avenue and Eastern Avenue. Transit seeks herein

to extend this route a short distance along Eastern Avenue, thence over Addison Chapel Road to the Marriott-Hot Shoppes facility. The total length of this extension would be eight-tenths (.8) of a mile.

The testimony reveals that a large commercial organization will shortly transfer its commissary operations from a point in northwest Washington to a location on Addison Chapel Road. Approximately 500 employees will initially be employed there. It appears from the evidence that most of these employees will be domiciled at various points in the District of Columbia, and at least 150 have indicated, through a petition submitted to the Commission, that they prefer and would utilize the proposed service of the applicant. The evidence further reveals that the extended service will result in very little increase in cost to D. C. Transit in that the present schedule calls for vehicle layovers at the Kenilworth-Eastern Terminal. Due to the short distance involved in the extension, the extended service can be easily assimilated into the existing operations over the U-2 route.

In addition to the testimony of a company executive concerning operations, two officers of the commercial enterprise appeared and testified in support of the application. Fifteen (15) members of the public appeared to support the application, fourteen (14) of whom stated that they would need and use the proposed service.

The WMA Transit Company appeared in opposition to the application. One company officer testified for the protestant. Basically, the protestant's position is that it currently provides service over that portion of the route D. C. Transit expects to extend. The WMA Route F presently begins at the Glendale Hospital in Prince Georges County and proceeds inbound toward the District of Columbia over the George Palmer Highway and Sheriff Road to the intersection of Sheriff Road and Addison Chapel Road. At this point the vehicle turns right and proceeds along Addison Chapel Road and Eastern Avenue to the intersection of Kenilworth and Eastern Avenues, turns around and returns to the intersection of Sheriff Road and Addison Chapel Road, where it continues inbound to Seat Pleasant. The evidence shows that that portion of the Route F serving Addison Chapel Road west of its intersection with Sheriff Road was discontinued for some time, only to be reactivated shortly after Transit filed this application. The WMA witness conceded very little traffic, if any, is generated on this side excursion to Kenilworth and Eastern Avenue. However, the protestant's witness testified that his company was ready, willing, and able to add additional schedules and equipment to provide adequate service to the commercial facility being established on Addison Chapel Road. He also stated that his company

currently operates service on Kenilworth Avenue via its B route and that the combination of its two routes would provide adequate service to employees and visitors between the District of Columbia and the commercial establishment. Finally, it raised the statutory provision of Section 4(e) as a defense to the issuing of this authority on the ground that it is entitled to have the opportunity to improve service before additional carrier service is instituted over its existing line. The protestant moved orally at the hearing to dismiss the application until such time as WMA might fail to provide adequate service. It also moved to dismiss the application on the ground that the applicant had failed to file such time schedules with its application as to meet the regulations of the Commission.

The public witnesses were virtually unanimous in supporting the D. C. Transit proposal. Most of them admittedly would have to transfer at least once even under the D. C. Transit proposal. They collectively felt, however, that once they got on the U-2 Line they should be transported directly to the place of business on Addison Chapel Road. Denial of the D. C. Transit proposal would require an additional transfer at the intersection of Kenilworth and Eastern Avenues to the WMA service. This stated objective is, of course, very much in line with recent Commission pronouncements that the Commission desires to eliminate transfers whenever possible and feasible.

The Commission is of the opinion that the proposed extension will be required by the public convenience and necessity.

The Commission finds that there is little merit in requiring these passengers to transfer an additional time for such a short trip. The WMA F Line is designed primarily to supplement its main line F route and to serve as a tie-in between the F route and R route. However, the mere physical duplication of streets does not mean that there will be actual duplication of services or direct competition between the two carriers. The D. C. Transit service from the commercial establishment will not stop and pick up between that point and its terminal at Eastern and Kenilworth Avenues. Thus, all passengers originating at the end of the line will be interstate in nature, destined to points in the District of Columbia. On the other hand, the WMA service is local in nature and is designed to provide transportation between points along Addison Chapel Road and from that location to the District of Columbia via a different route than the D. C. Transit U-2.

We have considered the offer of WMA to make such service improvements as are necessary to provide a reasonable amount of service. The Commission concludes that it would be impracticable and unfeasible and

economically unsound for WMA to attempt to provide the amount of service offered by D. C. Transit herein. The extension required of D. C. Transit is so small and ties in so well with the existing service that the additional cost to it will be de minimus. This cannot be said of any expansion by WMA to provide a comparable service.

The motions of protestant to dismiss the application are denied. The application was filed in substantial compliance with our regulations. And, as previously stated, the provisions of Section 4(e) are not applicable.

**THEREFORE, IT IS ORDERED:**

1. That the application of D. C. Transit System, Inc., to extend its U-2 Line be, and it is hereby, granted.
2. That D. C. Transit System, Inc., Certificate of Public Convenience and Necessity No. 5, be, and it is hereby, amended by incorporating First Revised Page 11A, Cancelling Original Page 11A, as attached hereto and made a part hereof.
3. That this order become effective 30 days from date of service hereof.

BY DIRECTION OF THE COMMISSION:

A handwritten signature in cursive script, appearing to read "Delmer Ison".

DELMER ISON  
Executive Director

- No. 68 From Washington, D. C., over city streets to the Maryland - D. C. Line, thence over New Hampshire Avenue and U. S. 29 to terminal at Fairland Data Center, and return over the same route.
- No. 69 From Washington, D. C., over city streets to the Maryland - D. C. Line, thence over Georgia Avenue to junction Wayne Avenue, thence Wayne Avenue to junction Pershing Drive, thence Pershing Drive to junction Fenton Street, thence Fenton Street to junction Colesville Road, thence Colesville Road to junction Columbia Pike, thence Columbia Pike to junction Lockwood Drive, thence Lockwood Drive to junction New Hampshire Avenue, thence New Hampshire Avenue to junction U. S. 29, thence over U. S. 29 to terminal at Fairland Data Center, and return over the same route to junction Colesville Road and Spring Street, thence over Spring Street to junction Wayne Avenue, thence Wayne Avenue to junction Georgia Avenue, thence over same route.
- No. 70 From Washington, D. C., over city streets to the Maryland - D. C. Line, thence over Kenilworth Avenue to junction Capital Beltway, thence Capital Beltway to junction New Hampshire Avenue, thence New Hampshire Avenue to junction U. S. 29, thence over U. S. 29 to the terminal stand at Fairland Data Center and return over the same route.
- No. 71 From junction Tuxedo Road and 57th Place, over Tuxedo Road to junction 57th Avenue, thence over 57th Avenue to junction Beecher Street, thence Beecher Street to junction 57th Place, thence 57th Place to junction Tuxedo Road, thence Tuxedo Road to junction Arbor Street, thence Arbor Street to junction Magruder Avenue, thence Magruder Avenue to junction Cheverly Avenue, thence Cheverly Avenue to junction Landover Road, thence Landover Road and Annapolis Road to junction Baltimore Avenue, thence Baltimore Avenue to junction East-West Highway, thence East-West Highway to junction Adelphi Road, thence Adelphi Road to junction University Boulevard East, thence University Boulevard East to junction New Hampshire Avenue, thence New Hampshire Avenue to U. S. 29, thence U. S. 29 to terminal at Fairland Data Center and return over the same route to junction University Boulevard and Campus Drive, thence over Campus Drive to junction Adelphi Road, thence over same route.
- \*No. 72 From Washington, D. C., over city streets to the Maryland - D. C. Line, thence over Addison Chapel Road to the Marriott-Hot Shoppe Commissary and Warehouse at 5200 Addison Chapel Road and return over the same route.

Restriction - No Intra-Maryland passengers will be carried.

NOTE: The repetition of route description with respect to the highways over which operations are authorized herein shall not be construed as granting more than a single operating right over said highways.

FIRST REVISED PAGE 11A  
CANCELS ORIGINAL PAGE 11A  
\*AMENDED BY ORDER NO. 635